IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 2ND MAY 2007 / 12TH VAISAKHA 1929

WP(Crl.).No. 97 of 2007(S)

PETITIONER:

RADHAMANI, AGED ABOUT 48 YEARS,
WIFE OF KOCHU KRISHNAN, KRISHNALAYAM,
AZHIKKAL THURA MURI, ALAPPAD VILLAGE.

BY ADV. SRI.P.B.SAHASRANAMAN
SRI.K.JAGADEESH
SRI.T.S.HARIKUMAR

RESPONDENTS:
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1. THE DEPUTY SUPERINTENDENT OF POLICE,
KARUNAGAPPALLY.

2. THE SUB-INSPECTOR OF POLICE,
OACHIRA.

3. JOBIN GOMEZ, SON OF BABYCHAN,
MARIYALAYAM HOUSE, ALAPPAD VILLAGE.

BY GOVERNMENT PLEADER SMT.T.B.RAMANI

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 02/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(Crl.).No. 97 of 2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1- TRUE PHOTOSTAT COPY OF THE SSLC BOOK OF DIVYA KRISHNAN

EXT.P2- TRUE PHOTOSTAT COPY OF THE COMPLAINT FILED BY THE KOCHU KRISHNAN, DATED 17.4.2006.

(TRUE COPY)

P.A TO JUDGE

V.RAMKUMAR, & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(Crl.)No. 97/2007

Dated this 2nd day of May, 2007

JUDGMENT

V.Ramkumar, J.

The petitioner, who is the mother of a minor girl, Divya Krishnan, who is aged 17 years, had filed this petition for Habeas corpus. Pursuant to a direction of this Court, the girl was produced before the Court. She stated that she is 17 years and she is coming from the custody of her aunt. On further questioning she revealed that the aunt is not her aunt but her friend's aunt. She is totally disinclined to go with her parents. She says that they will ill-treat her and refused to go with her parents, who are legally entitled to have her custody, until at least she attains majority.

2. Accordingly, Divya Krishnan, the detenue is released to the custody of her parents namely the petitioner and her husband. In as much as considering the antecedents and details of the alleged aunt, the detenue

claims to have been residing with, it will be unsafe to entrust the girl to the custody of any such stranger.

The petition is disposed of as above.

V.RAMKUMAR,
JUDGE

T.R.RAMACHANDRAN NAIR
JUDGE

mrcs